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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/543,011 04/04/00 WASHIND

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EXAMINER

DINH.T

ART UNIT

PAPER NUMBER

2841

DATE MAILED:

04/24/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

## Office Action Summary

**Application No.**

09/543,011

**Applicant(s)**

WASHINO ET AL.

**Examiner**

Tuan T Dinh

**Art Unit**

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 3, line 2 and 13, line 2 are unclear. They are confused of "one of" the first locking member but not defined in the claims 1 and 11.

Regarding claims 3 and 11, Are the locking member having a locking claw?  
Also, the phrase " the other locking member has an engaging hole... the locking claw is engaged" is not understood.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Cox et al (U. S. Patent 6,191,950 B1).

As to claims 1 and 11, Cox discloses a frame kit and an IC card as shown in figures 2 and 3 comprising a frame (9, column 2, line 61) for defining an internal space

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of an IC card. The frame has a first panel (14, column 2, line 64) and a second panel (10, column 2, line 64). The first panel (14) has a first locking member (23, column 3, line 16) which projects toward the internal space from an inner wall of the frame (see figure 2). The second panel (10) has a second locking member (16, column 2, line 65) which is engaged<sup>ble</sup> with the first locking member of the first panel inside the frame. The frame also includes a circuit board (12, column 2, line 63) having a connector (40, column 2, line 64). The circuit board is contained between the first and second panel.

As to claims 2 and 12, Cox discloses a frame kit and an IC card as shown in figures 2 and 3 wherein the first panel is integrated with the frame by simultaneous molding (column 2, lines 5-7).

As best understood to claims 3 and 13, Cox discloses a frame kit and an IC card as shown in figures 2 and 3 wherein the first locking member has a locking claw engaging to the hole (22) of the second locking member.

As to claims 4 and 14, Cox discloses a frame kit and an IC card as shown in figures 2 and 3 wherein the second locking member is composed of an elastic member (see figure 3).

As to claims 5 and 15, Cox discloses a frame kit and an IC card as shown in figures 2 and 3 wherein edges of the first panel and the second panel are contained in the frame.

As to claims 6 and 16, Cox discloses a frame kit and an IC card as shown in figures 2 and 3 wherein the first locking member is implanted and held in the frame with its front end projected toward the internal space from the inner wall of the frame.

As to claims 7 and 17, Cox discloses a frame kit and an IC card as shown in figures 2 and 3 wherein the frame has an outer surface exposed toward an outside of the IC card (see figure 2) to form a side surface in a direction in which the IC card is inserted.

As to claims 8 and 18, Cox discloses a frame kit and an IC card as shown in figures 2 and 3 wherein an erroneous-insertion-preventing key (23') is prevented the IC card when inserted in a wrong posture into an IC card slot forming on the outer surface of the frame. The first panel is integrated with the frame in a state where an area where the erroneous-insertion-preventing key is formed is ensured.

As to claims 9 and 19, Cox discloses a frame kit and an IC card as shown in figures 2 and 3 wherein the second panel has a positioning member which is abutted against the inner wall of the frame for positioning the second panel with respect to the frame.

As to claims 10 and 20, Cox discloses a frame kit and an IC card as shown in figures 2 and 3 wherein the positioning member is an elastic positioning member which is elastically abutted against the inner wall of the frame.

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Simmons et al, Maeda, and Feldman disclose related art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T Dinh whose telephone number is 703-306-5856. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703-308-3301. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-3431 for regular communications and 703-308-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

TD  
April 19, 2001

